

1 08 Rec'd PCT/PTO 11 4 MAR 2005 #3

Attorney Docket No. 3877 P 009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:
John Hassard and Ed McKigney

Examiner:

Art Unit:

Application No.: 10/520,303
Confirmation No.:
U.S. Filing Date: January 5, 2005

For: Material Separation Device

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION 37 C.F.R. §§ 1.97 AND 1.98**

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 U.S.C. §§ 1.97 and 1.98, Applicants submit herewith Form PTO-1449, "Information Disclosure Statement." Pursuant to the Notice from the U.S. Patent and Trademark Office ("PTO") dated October 12, 2004, the PTO has waived the requirement under 37 C.F.R. 1.98(a)(2)(i) requiring submission of a copy of each cited U.S. patent and each cited U.S. patent application for all applications regardless of filing date and for all international applications entering the national stage under 35 U.S.C. Sec. 371 regardless of U.S. filing date.

Since this Statement is being filed within three (3) months of the filing date of this National Application, or before the mailing date of an office action on the merits, no fee is necessary.

Applicants are submitting this art because they recognize their duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicants believe none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicants.

The citation of a reference is also without admission the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

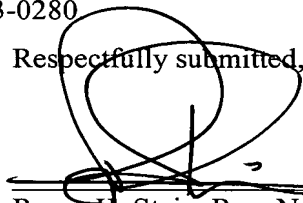
Moreover, submission of these patents is without admission any of the patents constitutes statutory prior art or has an effective date prior to Applicants' effective date of invention.

Applicants specifically reserve all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicants or counsel.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280

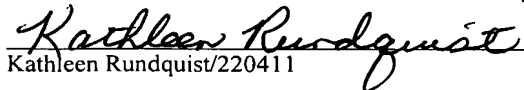
Respectfully submitted,

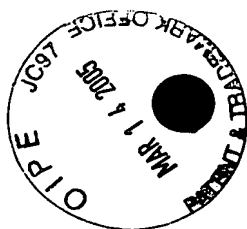
Date 7/17/05


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CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 8, 2005.


Kathleen Rundquist/220411



**INFORMATION
DISCLOSURE
STATEMENT BY APPLICANT**
PTO-1449

WW&R File No.: 3877 P 009
Application No.: 10/520,303
First Named Inventor: John Hassard
U.S. Filing Date: January 5, 2005
Art Unit:

U.S. PATENT DOCUMENTS

Examiner Initial	U.S. Patent Document No.	Name of Patentee or Applicant	Date of Publication

FOREIGN PATENT DOCUMENTS

Examiner Initial	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	T
	Office	Number	Kind			
	PCT	WO 99/61888 A		California Institute of Technology	02.22.1999	
	EP	EP 0 816 837 A		Caliper Technologies Corporation	07.01.1998	
	PCT	WO 99/24827 A		The Regents of the University of California	20.05.1999	
	PCT	WO 02/48177 A		Delta-Dot Limited	20.06.2002	
	PCT	WO 00/77511 A		Merck Patent GmbH	21.12.2000	Abstract

OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T
	Search Report for GB 2001/15779.0 dated 15 January 2003.	
	International Search Report for PCT/GB2003/02926 dated 29 September 2003.	

Examiner: _____ Date _____
Considered: _____

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.